

Lbk 9 Pg 156

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

CITY OF OLIVE BRANCH, MISSISSIPPI,

PLAINTIFF

V.

CAUSE NO. CO 2001-0539

ROBERT S. TOMLINSON AND WIFE, DEANNA
TOMLINSON AND FIRST COMMERCIAL
MORTGAGE COMPANY OF MEMPHIS,

DEFENDANTS

LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI

You are hereby notified that the City of Olive Branch, Mississippi is seeking to acquire by eminent domain and has on the 18th day of June, 2001 filed a Complaint To Condemn to acquire fee ownership in the lands described in Exhibit "A" attached hereto and incorporated herein.

The interested parties are:

1. City of Olive Branch, Mississippi, Plaintiff
2. Robert S. Tomlinson and wife, Deanna Tomlinson and First Commercial Mortgage Company of Memphis

Your are further requested to include this Notice and Exhibit "A" hereof in the Lis Pendens for records of said County as provided by law.

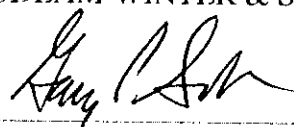
STATE MS.-DESOTO CO. ✓
FILED

JUN 26 11 48 AM '01

BK 9 PG 156
W.E. DAVIS, CLK.

WATKINS LUDLAM WINTER & STENNIS, P.A.

BY: _____


Gary P. Snyder (MS Bar #7682),
Attorney for Plaintiff

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OF COUNSEL:

Watkins Ludlam Winter & Stennis, P.A.
6897 Crumpler Blvd., Suite 100
P.O. Box 1456
Olive Branch, MS 38654
(662) 895-2996

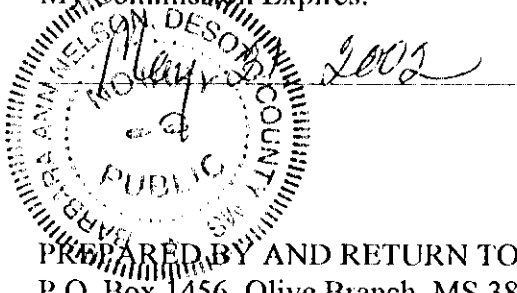
STATE OF MISSISSIPPI

COUNTY OF DESOTO

PERSONALLY APPEARED before me, the undersigned authority in and for the said County and State, on this the 25th day of June, 2001, within my jurisdiction, the within named Gary P. Snyder, who acknowledged that he is counsel for the City of Olive Branch, Mississippi, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

Barbara Ann Nelson
NOTARY PUBLIC

My Commission Expires:



PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,
P.O. Box 1456, Olive Branch, MS 38654, (662) 895-2996.

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EXHIBIT "A"

Being a portion of Lot 77, Section E, Deerfield Subdivision, as described in Plat Book 42, Page 2 in the land records of DeSoto County, Mississippi, which are located in the DeSoto County Chancery Office and lying in the Northwest Quarter of Section 35, Township 1 South, Range 7 West in the City of Olive Branch, DeSoto County, Mississippi, and which property was conveyed to Robert S. Tomlinson and Deanna Tomlinson by deed recorded in Deed Book 298, Page 525, in such land records, and which is more particularly described as follows:

PERMANENT UTILITY EASEMENT

Being a 20 foot wide strip of land and having a centerline described as follows: Beginning at a point, said point being 57.11 feet, more or less, southwest of the northeast property corner of subject property as measured along the east property line; thence in a northwesterly direction a distance of approximately 235.06 feet to a point on the west property line of subject property approximately 51.24 feet southwest of the northwest property corner as measured along the west property line and containing 4,701 square feet more or less.

TEMPORARY CONSTRUCTION EASEMENTS

Being 30 foot wide strips of land parallel and adjacent to the north and south sides of the above described permanent easement and containing 14,104 square feet more or less.